

SCHEDULE

Article 4

REQUIREMENTS TO BE INCLUDED IN AN AGREEMENT AS REGARDS LAND WHICH IS THE SUBJECT OF AN AGREEMENT

1. The farmer shall avoid damaging rough grazings, unimproved pasture, reverted improved land, wetlands, water margins, native woodland, amenity woodland and scrub by ploughing, new drainage, modifying existing drains, levelling, re-seeding or cultivating.

2. The farmer shall avoid damaging rough grazings, unimproved pasture, reverted improved land, wetlands, water margins, native woodland, amenity woodland and scrub by poaching, feeding practices or overgrazing.

3. The farmer shall not apply herbicides, pesticides, lime or fertiliser (including farmyard manure and slurry) to rough grazings, unimproved pasture, reverted improved land, wetlands, water margins, native woodland, amenity woodland and scrub, except that:

- (a) herbicides may be applied to control bracken (*pteridium aquilinum*), spear thistle (*cirsium vulgare*), creeping or field thistle (*cirsium arvense*), curled dock (*rumex crispus*), broad leaved dock (*rumex obtusifolius*) or ragwort (*senecio jacobaea*) and, with the prior written approval of the Secretary of State, for the control of other plants; and
- (b) lime and farmyard manure may be applied to unimproved pasture and reverted improved land with the prior written approval of the Secretary of State;

Provided that:

- (i) any herbicides used must be applied by weed wiper, spot treatment, hand spraying, tractor mounted sprayers or, with the prior written approval of the Secretary of State, by other methods;
- (ii) in the case of bracken, chemical control shall only be by means of asulam or other chemicals approved in writing by the Secretary of State.

4. The farmer shall make any muirburn in accordance with the standards set out in the Farming and Wildlife Advisory Group leaflet entitled “The Principles and Practice of Heather Burning” and published in 1988.

5. The farmer shall undertake to farm in accordance with the Secretary of State’s Code entitled “Prevention of Pollution from Agricultural Activity: A Code of Good Practice” published in 1992 so as to prevent, or at least minimise, the risk of pollution of the water, air and soil environments.

6. The farmer shall not remove any dykes, walls, hedges or scrub unless authorised so to do in writing by the Secretary of State and shall maintain stockproof dykes in a stockproof condition and manage existing hedges which are in good condition in the interests of conservation.

7. The farmer shall avoid damaging or destroying any features or areas of historic or archaeo-

8. The farmer shall preserve the amenity value of the landscape by screening or removing unsightly waste tips and dumps and by the removal of abandoned vehicles and scrap metal and other rubbish.

9. The farmer shall obtain prior written approval from the Secretary of State before commencing the construction or significant realignment or improvement of vehicular tracks.

10. The farmer shall prepare and agree with the Secretary of State a comprehensive farm conservation plan for his land and keep this under review. Each farm conservation plan will cover a 5 year period of the Scheme and shall—

- (a) identify land and conservation features relevant to the requirements in paragraphs 1 to 9

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) if appropriate to the farm unit, contain details of the following farming operations on or contiguous with rough grazings–
 - (i) a grazing plan and other measures necessary to conserve identified areas of heather in their existing condition, to regenerate suppressed areas of heather, or to maintain and enhance other areas of upland vegetation;
 - (ii) a grazing plan and other measures necessary to conserve, enhance or extend areas of native woodland, amenity woodland and scrub and, if the farmer so wishes, limited amenity planting of trees;
 - (iii) if the farmer so wishes, measures to restore dykes, stone buchts and fanks, to standards consistent with conservation interests;
 - (iv) if the farmer so wishes, measures to improve the condition of features or areas of historic or archaeological interest.